

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

JOSEPH GUARRASI and U & ME, INC.,
Plaintiffs,

v.

DIANE E. GIBBONS *et al.*,
Defendants.

:
:
:
:
:
:
:
:
:

CIVIL ACTION

NO. 07-05475

Order

AND NOW on this 27th day of August 2009, upon consideration of the motion to dismiss, or in the alternative the motion for summary judgment of defendants Thomas G. Gambardella and Timothy Carroll (Doc. No. 30) and plaintiff Guarrasi's response thereto, **IT IS HEREBY ORDERED** that the motion for summary judgment is **DENIED** as to defendant Gambardella and **GRANTED** as to defendant Carroll and judgment is **ENTERED** in favor of defendant Timothy Carroll against plaintiff Joseph Guarrasi.

/s/ William H. Yohn Jr.

William H. Yohn Jr., Judge